

**LIMITED SOURCES JUSTIFICATION**

ORDER >\$3,000  
FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 509-14-1-549-0023

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

**Restricted to the following source:** Provide original manufacturer's name for material or contractor's name for service. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer/Contractor: Siemens Healthcare Diagnostics Inc., V797D-30175

Manufacturer/Contractor POC & phone number: Linda Dominy (678)427-5578 or (800)948-3234

Mfgr/Contractor Address: Glasgow Business Community Bld 500, PO Box 6101 Mailstop 530, Newark, DE 19714

Dealer/Rep address/phone number: Linda Dominy (678) 427-5578 or (800)948-3234

☒ The requested material or service represents the minimum requirements of the Government.

**(1) AGENCY AND CONTRACTING ACTIVITY:**

Department of Veterans Affairs  
Network Contracting Activity  
Hatcher Building, Suite 2  
501 Greene St  
Augusta, GA 30901

VISN:

07

**(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:**

Request for new, firm-fixed price contract for base period plus four (4) option years contract for other than full and open competition for the procurement of Cost-Per-Test Services on the Siemens Walk-Away Analyzer System.

**(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:**

The Cost Per Test service provided with the Siemens Walk-Away System Analyzer is used to identify etiological agents that provide information to treat veterans for infections. The Siemens Walk-Away instrument is already in the lab providing critical diagnostic service to all veterans. Continuation of this Cost Per Test will enable the VA to purchase supplies and reagents needed to support diagnostic services and to support VHA's infection control mandates.

**(b) ESTIMATED DOLLAR VALUE:** \$ 369,900 (Base plus 4 option years)

(c) REQUIRED DELIVERY DATE: May 1, 2014

**(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.**

☒ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

The Siemens Walk-Away System Analyzer is already in the lab and the staff is well trained in the use of this system. This system is interfaced with VA's VISTA and critical patient information is transferred to VISTA as it becomes available. The Siemens system provides identification of anaerobes, yeast, and aerobic bacteria. This system provides susceptibility data for aerobic and fastidious organisms. It is capable of picking up unusual and emerging resistance.

Any new system would require setting up various data tables, and modifying the data to match with the new system. This requires additional man hours, IT Support, technical expertise, and validation of data transfer from the system to VISTA. This is a time consuming process and there are no guarantees that it will work as required. Interface is critical to transmit data efficiently and to prevent data entry errors.

Reagents and supplies needed to perform ID and susceptibility can only be purchased from Siemens. The requested cost per test service with Siemens is required to procure reagents needed to provide critical care to veterans and to avoid interruption of services to the veteran.

Siemens Healthcare Diagnostics is the exclusive manufacturer and sole distributor of MicroScan Microbiology System products for clinical laboratories in the United States. This includes the MicroScan Walk-Away plus instrument and MicroScan AutoScan-4 instrument including service, LabPro Information Management Systems and software including Alertex software and MicroScan panel products and reagents.

The Siemens Walk-Away System can process as many as 96 panels each day (high capacity).

Features unique to Siemens are:

**(4) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:**

The requested services are covered under NAC FSS Contract V797D-30175. Prices were determined to be fair and reasonable at time of contract award. Additionally, Siemens's pricing has not increased in the last two years.

**(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:**

Market Research was conducted on GSA Advantage, FSS 66 III, SIN 605-5a, High Maintenance/Complexity Analyzers. There are three (3) businesses under this SIN, all large. A Sources Sought RFI was issued on GSA E-Buy. The only response received was from Siemens Healthcare. A

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Original Date (10-13-2011)



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Notice of Intent to Sole Source was also published on GSA E-Buy and resulted in no responses. Siemens Healthcare has a NAC FSS Contract under this SIN which covers the required cost per test service. Per VAAR 808.002 (a)(3), Federal Supply contracts awarded by the VA National Acquisition Center in Federal Supply Classification (FSC) Groups 65 and 66 shall be mandatory for use by VA and shall have the same order of priority as mandatory Federal Supply Schedules (FAR 8.002(A)(1)(vi)).

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:**

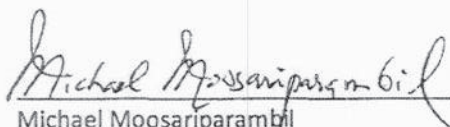
Continuation of Siemens's Cost per test agreement is needed to avoid interruption of patient care. Physicians depend on data produced by this system to treat patients. This is critical for continued patient care services and to carry out VHA's mission.

The Siemen's Cost Per Test services are available under NAC FSS Schedule 66 III, a mandatory source.

**(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:**

Market research will be conducted for any future requirement to see if any other sources have become available for competition.

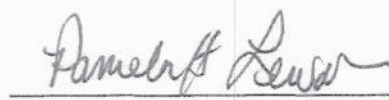
**(9) REQUIREMENTS CERTIFICATION:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

  
Michael Moosariparambil  
Supervisory Microbiologist  
Pathology & Laboratory Medicine  
Charlie Norwood Veterans Affairs Medical Center

1-9-14  
Date

**(10) APPROVALS IN ACCORDANCE WITH FAR 8.405-6(d):**

**a. CONTRACTING OFFICER'S CERTIFICATION (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
Pamela H. Lewallen  
Contracting Officer, NCO 7

1-9-14  
Date

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c. **NCM/PCM/DESIGNEE:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Prudence Howard  
Prudence Howard  
Director of Contracting, NCO 7

1/14/14  
Date